

PATENT COOPERATION TREATY
PCT
INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PPD 50396/WO	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/GB00/01620	International filing date (day/month/year) 26/04/2000	Priority date (day/month/year) 30/04/1999
International Patent Classification (IPC) or national classification and IPC C12Q1/68		
<p>Applicant SYNGENTA LIMITED et al.</p> <p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 7 sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of sheets.</p> <p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input checked="" type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application 		

26/04/2000

Name and mailing address of the International Preliminary Examining Authority

World Intellectual Property Organization

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1211 Geneva 17, Switzerland

Telephone: +41 22 739 3440

Fax: +41 22 739 3441

Telex: 611 226 WIPO CH

http://www.wipo.int/wipo_realm/

International Preliminary Examination Report

INTERNATIONAL PRELIMINARY
EXAMINATION REPORT

International application No. PCT/GB00/01620

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, pages:

1-86 as originally filed

Claims, No.:

1-53 as originally filed

Drawings, sheets:

1/9-9/9 as originally filed

Sequence listing part of the description, pages:

1-63, as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- the language of publication of the international application (under Rule 48.3(b)).
- the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- contained in the international application in written form.
- filed together with the international application in computer readable form.
- furnished subsequently to this Authority in written form

1. The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/GB00/01620

the description, pages:

the claims, Nos.:

the drawings, sheets:

5. This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)): *(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been examined in respect of:

the entire international application.

claims Nos. 1-22,25-53.

because:

the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (*specify*):

the description, claims or drawings (*indicate particular elements below*) or said claims Nos. 1-22,25-53 are so unclear that no meaningful opinion could be formed (*specify*):
see separate sheet

the claims, or said claims Nos. 1-22,25-53 are so inadequately supported by the description that no meaningful opinion could be formed.

no international search report has been established for the said claims Nos. .

2. A meaningful international preliminary examination cannot be carried out due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability: citations and explanations supporting such statement

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/GB00/01620

1. Statement

Novelty (N) Yes: Claims 23,24
No: Claims

Inventive step (IS) Yes: Claims
No: Claims 23,24

Industrial applicability (IA) Yes: Claims 23,24
No: Claims

2. Citations and explanations
see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/GB00/01620

Re Item III

Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. Claim 1 lacks clarity and is unsupported by the description (Art 6 PCT) to such an extent that a meaningful examination cannot be carried out (Art 34(4)(a)(ii) PCT). In particular the meaning of "strobilurin analogue or any other compound in the same cross resistance group" and "any (or a) single nucleotide polymorphism detection technique" lacks clarity and support by the description (Art 6 PCT). The same objections are raised against independent claims 2, 3, 11, 21, 27, 45 and 47-51. The dependent claims 4-10, 12, 13, 22, 28 and 46 do not provide information which would resolve said unclarities. Therefore, also no opinion can be formed on these claims.
2. The subject-matter of claims 1-4, 9, 11, 25-27, 29, 30, 34-40, 43 is defined by the result to be achieved without giving details on, for example, length or sequence of the oligonucleotides or the target molecule. This results in a lack of clarity and insufficient support by the description (Art 6 PCT). A meaningful examination can thus not be carried out for these claims and claims 31-33, 52 and 53 encompassing said claims (Art 34(4)(a)(ii) PCT).
3. Claims 14, 16, 18, 34, 35, 37, 40, 43 and 51 are so unclear and lack support by the description to such an extent that a meaningful examination cannot be carried out (Art 34(4)(a)(ii) PCT). In particular the scope of the terms "...all or part...", "...fungicide..." and "...mitochondrial gene..." lack clarity and/or exceed the disclosure of the present application (Art 6 PCT). The dependent claims 15, 17, 19, 20, 36, 38, 39, 41, 42, 44 do overcome the said objections. Therefore, also no opinion can be formed on these claims.
4. In summary, an opinion with respect to novelty and inventive step can only be

With reference to the above objection i.e.s., the attention of the Applicant is drawn to the fact that it is well accepted that the protection conferred by a patent should correspond to the **technical contribution** to the art made by the **disclosure** of

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/GB00/01620

the invention described therein.

6. The PCT requires that each individual claim but also the claims as a whole must be clear (Art 6 PCT; Guidelines, Section IV, III-4.1). The present patent application contains 25 independent claims whereby 13 refer to a method and 12 to a product. In light of the invention claimed, this number of independent claims appears to be excessive leading to lack of clarity and conciseness (Art 6 PCT).

Re Item V

Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Basis for the assessment of novelty, inventive step and industrial applicability

1.1 Reference is made to the following document:

D1: KRAICZY P ET AL: 'The molecular basis for the natural resistance of the cytochrome bc₁ complex from strobilurin-producing basidiomycetes to centre Qp inhibitors' EUROPEAN JOURNAL OF BIOCHEMISTRY , vol. 235, 1996, pages 54-63, XP000990816

2. Novelty

2.1 Claim 23 appears to be novel as none of the documents cited in the search report disclose a method suitable for the detection of a mutation resulting in fungal resistance to e.g. strobilurin analogues whereby the method is based on sequence information from 30-90 nucleotides upstream and/or downstream of the triplet coding for amino acid 143. The dependent claim 24 is therefore also novel

3. Inventive step

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/GB00/01620

- 3.1 D1 discloses the amino acid sequences of cytochrome b of three basidiomycetes (D1, page 59, Fig. 3). The sequences were obtained from a mitochondrial library by PCR followed by sequence analysis. Sequence alignment shows the mutation at that residue corresponding to amino acid 143 of *S. cerevisiae* (D1, page 56 "Cloning of cytochrome b genes..."; page 61, left column).
- 3.2 Claim 23 differs from the closest prior art document D1 in that the detection of said mutation is based on a particular region up- and/or downstream of the said mutation. The technical problem is to provide an alternative method to detect said mutation. The solution provided in claim 23 is to base the mutation analysis on sequence information from 30-90 nucleotides upstream and/or downstream of the position which codes for said mutation. It appears that an inventive step cannot be acknowledged for the solution referred to in claim 23 (Art 33(3) PCT). It is obvious for the skilled person that for detection of a particular mutation by, for example, PCR or ARMS (Amplification Refractory Mutation System), not only the site of interest but also a region around this site may be amplified.
- 3.3 Claim 24 appears not to disclose features which, in combination with the features of the independent claim 23, fulfil the requirements of Art 33(3) PCT for inventive step.

4. Industrial applicability

- 4.1 The subject-matter disclosed in the claims 23 and 24 of the present application appear to be industrially applicable (Art 33(4) PCT).

PATENT COOPERATION TREATY

ATTORNEY INITIALS

16.08.2001

To		
SYNGENTA LIMITED Intellectual Property Dept. P.O. Box 3538 Jealott's Hill Research Centre Bracknell RG42 6YA GRANDE BRETAGNE	SEARCHED	✓ 8
	INDEXED	

PCT

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL PRELIMINARY
EXAMINATION REPORT
(PCT Rule 71.1)Date of mailing
(day/month/year) 09.08.2001

Applicant's or agent's file reference PPD 50396/WO	IMPORTANT NOTIFICATION	
International application No. PCT/GB00/01620	International filing date (day/month/year) 26/04/2000	Priority date (day/month/year) 30/04/1999
Applicant SYNGENTA LIMITED et al.		

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing address of the IPA

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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PPD 50396/WO	FOR FURTHER ACTION		See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No PCT/GB00/01620	International filing date (day/month/year) 26/04/2000	Priority date (day/month/year) 30/04/1999	
International Patent Classification (IPC) or national classification and IPC C12Q1/68			
Applicant SYNGENTA LIMITED et al.			
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 7 sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of sheets.</p>			
<p>3. This report contains indications relating to the following items.</p> <ul style="list-style-type: none"> I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input checked="" type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application 			

Date of commencement of the demand 20.09.2000	Date of completion of the report 20.09.2000
Name and mailing address of the international preliminary examining authority European Patent Office D 80298 Munich Tel. +49 89 2394-0, Tx. 52360000 Fax. +49 89 2393-4400	Authorized officer Leber, T Telephone No. +49 89 2393-4400

Form PCT/IPEA/416 (Adopted on 12 August 1997, effective 1 January 1998)

INTERNATIONAL PRELIMINARY
EXAMINATION REPORT

International application No. PCT/GB00/01620

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17):*
Description, pages:

1-86 as originally filed

Claims, No.:

1-53 as originally filed

Drawings, sheets:

1/9-9/9 as originally filed

Sequence listing part of the description, pages:

1-63, as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
 the language of publication of the international application (under Rule 48.3(b)).
 the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

contained in the international application in written form.
 filed together with the international application in computer readable form.
 furnished subsequently to this Authority in written form.
 furnished subsequently to this Authority in computer readable form.
[] The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
[] The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

Re Item III

Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. Claim 1 lacks clarity and is unsupported by the description (Art 6 PCT) to such an extent that a meaningful examination cannot be carried out (Art 34(4)(a)(ii) PCT). In particular the meaning of "strobilurin analogue or any other compound in the same cross resistance group" and "any (or a) single nucleotide polymorphism detection technique" lacks clarity and support by the description (Art 6 PCT). The same objections are raised against independent claims 2, 3, 11, 21, 27, 45 and 47-51. The dependent claims 4-10, 12, 13, 22, 28 and 46 do not provide information which would resolve said unclarities. Therefore, also no opinion can be formed on these claims.
2. The subject-matter of claims 1-4, 9, 11, 25-27, 29, 30, 34-40, 43 is defined by the result to be achieved without giving details on, for example, length or sequence of the oligonucleotides or the target molecule. This results in a lack of clarity and insufficient support by the description (Art 6 PCT). A meaningful examination can thus not be carried out for these claims and claims 31-33, 52 and 53 encompassing said claims (Art 34(4)(a)(ii) PCT).
3. Claims 14, 16, 18, 34, 35, 37, 40, 43 and 51 are so unclear and lack support by the description to such an extent that a meaningful examination cannot be carried out (Art 34(4)(a)(ii) PCT). In particular the scope of the terms "...all or part...", "...fungicide..." and "...mitochondrial gene..." lack clarity and/or exceed the disclosure of the present application (Art 6 PCT). The dependent claims 15, 17, 19, 20, 36, 38, 39, 41, 42, 44 do overcome the said objections. Therefore, also no opinion can be formed on these claims.
4. In summary, an opinion with respect to novelty and inventive step can only be formed on claims 23 and 24.
5. With reference to the above objection 1.-3.. the attention of the Applicant is drawn to the fact that it is well accepted that the protection conferred by a patent should correspond to the **technical contribution** to the art made by the **disclosure** of

INTERNATIONAL PRELIMINARY
EXAMINATION REPORT

International application No. PCT/GB00/01620

the description, pages:
 the claims, Nos.:
 the drawings, sheets:

5. This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been examined in respect of:

the entire international application.
 claims Nos. 1-22,25-53.

because:

the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (*specify*):

the description, claims or drawings (*indicate particular elements below*) or said claims Nos. 1-22,25-53 are so unclear that no meaningful opinion could be formed (*specify*):
see separate sheet

the claims, or said claims Nos. 1-22,25-53 are so inadequately supported by the description that no meaningful opinion could be formed.

no international search report has been established for the said claims Nos. .

2. A meaningful international preliminary examination cannot be carried out due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:

the written form has not been furnished or does not comply with the standard.
 the computer readable form has not been furnished or does not comply with the standard

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

INTERNATIONAL PRELIMINARY
EXAMINATION REPORT

International application No. PCT/GB00/01620

1. Statement

Novelty (N)	Yes: Claims 23,24
	No: Claims
Inventive step (IS)	Yes: Claims
	No: Claims 23,24
Industrial applicability (IA)	Yes: Claims 23,24
	No: Claims

2. Citations and explanations
see separate sheet

the invention described therein.

6. The PCT requires that each individual claim but also the claims as a whole must be clear (Art 6 PCT; Guidelines, Section IV, III-4.1). The present patent application contains 25 independent claims whereby 13 refer to a method and 12 to a product. In light of the invention claimed, this number of independent claims appears to be excessive leading to lack of clarity and conciseness (Art 6 PCT).

Re Item V

Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Basis for the assessment of novelty, inventive step and industrial applicability

- 1.1 Reference is made to the following document:

D1: KRAICZY P ET AL: 'The molecular basis for the natural resistance of the cytochrome bc1 complex from strobilurin-producing basidomycetes to centre Qp inhibitors' EUROPEAN JOURNAL OF BIOCHEMISTRY , vol. 235, 1996, pages 54-63, XP000990816

2. Novelty

- 2.1 Claim 23 appears to be novel as none of the documents cited in the search report disclose a method suitable for the detection of a mutation resulting in fungal resistance to e.g. strobilurin analogues whereby the method is based on sequence information from 30-90 nucleotides upstream and/or downstream of the triplet coding for amino acid 143. The dependent claim 24 is therefore also novel (Art 33(2) PCT).

3. Inventive step

- 3.1 D1 discloses the amino acid sequences of cytochrome b of three basidiomycetes (D1, page 59, Fig. 3). The sequences were obtained from a mitochondrial library by PCR followed by sequence analysis. Sequence alignment shows the mutation at that residue corresponding to amino acid 143 of *S. cerevisiae* (D1, page 56 "Cloning of cytochrome b genes..."; page 61, left column).
- 3.2 Claim 23 differs from the closest prior art document D1 in that the detection of said mutation is based on a particular region up- and/or downstream of the said mutation. The technical problem is to provide an alternative method to detect said mutation. The solution provided in claim 23 is to base the mutation analysis on sequence information from 30-90 nucleotides upstream and/or downstream of the position which codes for said mutation. It appears that an inventive step cannot be acknowledged for the solution referred to in claim 23 (Art 33(3) PCT). It is obvious for the skilled person that for detection of a particular mutation by, for example, PCR or ARMS (Amplification Refractory Mutation System), not only the site of interest but also a region around this site may be amplified.
- 3.3 Claim 24 appears not to disclose features which, in combination with the features of the independent claim 23, fulfil the requirements of Art 33(3) PCT for inventive step.

4. Industrial applicability

- 4.1 The subject-matter disclosed in the claims 23 and 24 of the present application appear to be industrially applicable (Art 33(4) PCT).

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference PPD 50396/WO	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/GB 00/01620	International filing date (day/month/year) 26/04/2000	(Earliest) Priority Date (day/month/year) 30/04/1999
Applicant ZENECA LIMITED		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.

It is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the report**

a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

contained in the international application in written form.

filed together with the international application in computer readable form.

furnished subsequently to this Authority in written form.

furnished subsequently to this Authority in computer readable form.

the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. **Certain claims were found unsearchable** (See Box I).

3. **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

the text is approved as submitted by the applicant.

the text has been established by this Authority to read as follows:

METHOD OF DETECTION OF CYTOCHROME B MUTATIONS IN FUNGHI LEADING TO RESISTANCE AGAINST ANTI-FUNGAL AGENTS

6. Within one month of the date of mailing of this International Search Report, the applicant shall submit documents to this Authority

6. The figure of the **drawings** to be published with the abstract is Figure No.

1.0000000000000001

7. The following table contains the fees payable for the filing of this application.

INTERNATIONAL SEARCH REPORT

International Application No

PCT/00/01620

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C12Q1/68 C07K14/37 C12N15/53 G06F19/00 G06F17/30

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C12Q C07K C12N G06F

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, BIOSIS

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	ZHENG D ET AL: "Characterization of mitochondrial cytochrome b gene from <i>Venturia inaequalis</i> " CURRENT GENETICS, vol. 32, November 1997 (1997-11), pages 361-66, XP000990849 the whole document ---	1-53
Y	DI RAGO J-P ET AL: "Molecular basis for resistance to Myxothiazol, Mucidin (Strobilurin A), and stigmatellin" THE JOURNAL OF BIOLOGICAL CHEMISTRY, vol. 264, no. 24, August 1989 (1989-08), pages 14543-548, XP002164632 the whole document --- -/-	1-53

 Further documents are listed in the continuation of box C Patent family members are listed in annex

Special categories of cited documents

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority, claim(s) or which is cited to establish the publication date of another document or other special reasons as specified

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

- *X* document of particular relevance, the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

- *Y* document of particular relevance, the claimed invention

3 April 2001

20/04/2001

J. Osborne, H

INTERNATIONAL SEARCH REPORT

International Application No

PCT/EP 00/01620

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Text (summarize with indication, where appropriate, of the relevant passages)	Relevant to claim No
Y	<p>KFAICZY P ET AL: "The molecular basis for the natural resistance of the cytochrome b/c1 complex from strobilurin-producing basidiomycetes to centre Qp inhibitors" EUROPEAN JOURNAL OF BIOCHEMISTRY, v. 235, 1996, pages 54-63, XP000990816 the whole document</p> <p>---</p>	1-53
Y	<p>EFFENS JJ ET AL: "Mechanisms of fungicide resistance in phytopathogenic fungi" CURRENT OPINION IN BIOCHEMISTRY, v. 7, 1996, pages 348-55, XP000990845 page 348 page 350, paragraph 6 - paragraph 8</p> <p>---</p>	1-53
A	<p>SPAN AJ ET AL: "Approaches to in-vitro and Generation for fungicide invention" FUNGICIDE SCIENCE, v. 54, 1998, pages 338-344, XP002164633 page 339, paragraph 4 - paragraph 7 page 342</p> <p>---</p>	1-53
A	<p>NEATON C R ET AL: "ANALYSIS OF ANY POINT MUTATION IN DNA. THE AMPLIFICATION REFACTORY MUTATION SYSTEM (ARMS)" NUCLEIC ACIDS RESEARCH, GB, OXFORD UNIVERSITY PRESS, SURREY, v. 17, no. 7, 1 April 1989 (1989-04-11), pages 2503-2516, XP000141596 ISSN: 0305-1048</p> <p>-----</p>	